



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/437,812	11/10/1999	MARK E. PENNELL	003824.P001	8501
30256	7590	05/13/2004		
SQUIRE, SANDERS & DEMPSEY L.L.P. 600 HANSEN WAY PALO ALTO, CA 94304-1043				
			EXAMINER NGUYEN, QUANG N	
			ART UNIT 2141	PAPER NUMBER 22

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/437,812

Applicant(s)

PENNEL ET AL.

Examiner

Quang N. Nguyen

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 68-72, 74-79 and 81-88 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 68-72, 74-79 and 81-88 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 December 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the Amendment D filed on 04/19/2004. Claims 68, 72, 74 76, 81 and 83 have been amended. Claims 1-67, 73 and 80 have been cancelled. Claims 84-88 have been added as new claims. Claims 68-72, 74-79, and 81-88 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 68-75 and 79-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber et al. (US 5,961,593), herein after referred as Gabber, in view of Pepper et al. (US 5,930,700), herein after referred as Pepper.**

4. As to claims 68 and 71, Gabber teaches a system and method for providing anonymous personalized browsing by a proxy system in a network comprising:

detecting one or more online events (*i.e., user requests for data, e-mails*) in response to one or more commands from a user of a plurality of network sites (*the*

central proxy server 110a receives, collects the requested data, e-mails from the server sites 110g such as WSJ, ESPN, NYT, AMAZON, etc., and forwards the received information to the user site 105a in response to a command to access server sites 110g from the user 105a) (Gabber, C6: L18-37 and C12: L19-44);

accumulating event information corresponding to the online events (the central proxy server 110a transmits the processed user 105a requests to the server site 110g and receives, collects the requested data, e-mails for transmitting to the user 105a) (Gabber, C13: L33-37); and

presenting presentation information to a user corresponding to the event information (the central proxy server 110a receives the requested information from the server site 110g and forwards the received information to the user site 105a) while the user is accessing the network utilizing a browser application as in Figs. 3-4 (Gabber, C13: L33-37).

However, Gabber does not explicitly teach the presentation information comprising a summary of the event information presented in a message window.

In the related art, Pepper teaches a system and method for automatically screening and directing incoming calls, such as telephone calls, faxes, emails, and the like (*i.e., alerts corresponding to notifications*) to a communication services subscriber, wherein the subscriber maybe notified by an interactive GUI pop-up window (*i.e., a message window*) displaying a list of new pending messages (*i.e., a summary of accumulated event information*) (Pepper, Figs. 7 and 10-11, C3: L12-17, C8: L35-67, C9: L1-11 and C13: L14-22).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the teachings of Gabber and Pepper to present a summary of the event information in a message window (*i.e., an interactive GUI pop-up window*) to be sent to a user because it would allow the system alerting the user of new pending event information such as pending voice/e-mail messages and controlling the delivery of these messages to the user according to the user's schedule/request.

5. As to claim 69, Gabber-Pepper teaches the method of claim 68, wherein the detecting comprises receiving an email change or status notification that includes an email address corresponding to the user and one or more of the network sites (*the central proxy server 110a receives/collects e-mail destined for the user and contained within a plurality of site-specific e-mailboxes*) (Gabber, C12: L19-44).

6. As to claim 70, Gabber-Pepper teaches the method of claim 68, wherein the detecting comprises:

monitoring user activity at the one or more network sites (*i.e., the central proxy server 110a receives/monitors user 105a requests for accessing information from server site 110g*); and

responding to a transaction user activity by generating and forwarding for accumulation a corresponding transaction notification (*i.e., the central proxy server 110a receives the requests for accessing information/e-mails from the user 105a,*

processes and forwards these requests server site 110g, then receives the requested information/e-mails from the server sites 110g and forwards the received information to the user site 105a) (Gabber, C6: L42-50, C12: L19-44 and C13: L33-37).

7. As to claims 72 and 74-75, Gabber-Pepper teaches the method of claim 68, wherein upon receipt of a request from the user, the presenting comprises causing an alert pop-up window (*i.e., an interactive GUI pop-up dialog box*) corresponding to a notification to be sent or presented to a user device of the user (Pepper, Figs. 7 and 11, C6: L42-50 and C8: L47-52).

8. Claims 76-79 and 81-83 are corresponding system and computer readable storage medium claims of claims 68-72 and 74-75; therefore, they are rejected under the same rationale.

9. As to claim 84, Gabber-Pepper teaches the method of claim 68, wherein the presentation information includes at least one link for accessing at least a portion of the event information via a network (Pepper, Fig. 7, C8: L60-67 and C9: L1-11).

10. As to claim 85, Gabber-Pepper teaches the method of claim 69, further comprising forwarding via a network the email change or status information to an email address pre-selected by the user (*i.e., predetermined delivery address*) (Pepper, C6: L37-42).

11. As to claim 86, Gabber-Pepper teaches the method of claim 85, wherein the user defines how often the email change or status information is forwarded to the pre-selected email address (*i.e., depending on the predefined subscriber's schedule and the caller/sender's assigned priority*) (Pepper, C6: L37-42).

12. As to claim 87, Gabber-Pepper teaches the method of claim 74, wherein the message window is provided upon the user accessing a particular web site (*the central proxy server 110a, i.e., the subscriber's Janus web site*) (Gabber, Fig. 3).

13. Claim 88 is a corresponding claim of method claims 68 and 84; therefore, it is rejected under the same rationale.

14. Applicant's arguments as well as request for reconsideration filed on 04/19/2004 have been fully considered but they are moot in view of the new ground(s) of rejection.

Art Unit: 2141


15. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER